

Offered: 4/7/83  
Referred: Judiciary

Original sponsors: Uehling, Barnes,  
Bussell, et al

1 IN THE HOUSE BY THE STATE AFFAIRS COMMITTEE  
2 CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 165 (State Affairs)  
3 IN THE LEGISLATURE OF THE STATE OF ALASKA  
4 THIRTEENTH LEGISLATURE - FIRST SESSION  
5 A BILL

6 For an Act entitled: "An Act relating to the Public Offices Commission;  
7 and providing for an effective date."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 \* Section 1. AS 15.13.040(a) is amended to read:

10 (a) Each candidate shall make a full report, upon a form pre-  
11 scribed by the commission, listing the date and amount of all expendi-  
12 tures made by the candidate, the total amount of all contributions,  
13 including all funds contributed by the candidate [HIMSELF], and for  
14 all contributions in excess of \$250 [\$100] in the aggregate a year,  
15 the name, address, principal occupation, and employer of the contribu-  
16 tor and the date and amount contributed by each contributor. The  
17 report shall be filed in accordance with AS 15.13.110 and shall be  
18 certified as correct under AS 15.13.060(a) [BY THE CANDIDATE OR CAM-  
19 PAIGN TREASURER].

20 \* Sec. 2. AS 15.13.040(b) is repealed and reenacted to read:

21 (b) Each group shall make a full report, upon a form prescribed  
22 by the commission, listing the date and amount of all expenditures  
23 made by the group, the total amount of all contributions, and for all  
24 contributions in excess of \$250 in the aggregate a year, the name,  
25 address, principal occupation, and employer of the contributor and the  
26 date and amount contributed by each contributor. The report shall be  
27 filed in accordance with AS 15.13.110 and shall be certified as cor-  
28 rect under AS 15.13.060(a).

29 \* Sec. 3. AS 15.13.040(d) is amended to read:

1 (d) Every individual or [,] person and every [OR] group that is  
2 not required to register under AS 15.13.050 [MAKING A CONTRIBUTION OR  
3 EXPENDITURE] shall make a full report, upon a form prescribed by the  
4 commission, of the following contributions or expenditures:

5 (1) any contribution of cash, goods or services valued at  
6 more than \$250 [\$100] a year to any group or candidate; or

7 (2) any independent expenditure [WHATSOEVER] for advertis-  
8 ing in newspapers, on radio or on television [;] or [,] for the publi-  
9 cation, distribution or circulation of brochures, flyers, or other  
10 campaign material for or against any candidate, [OR] ballot proposi-  
11 tion or question.

12 \* Sec. 4. AS 15.13.040 is amended by adding a new subsection to read:

13 (g) As used in this section, an "independent expenditure" is a  
14 disbursement of funds made to support or oppose the election of a  
15 candidate or the passage of a ballot proposition or question not made  
16 with the cooperation, consent, or at the request of a candidate, a  
17 campaign committee or controlled group of a candidate, or a group that  
18 is supporting or opposing the candidate or ballot proposition or  
19 question for which the funds are disbursed.

20 \* Sec. 5. AS 15.13.060(a) is amended to read:

21 Sec. 15.13.060. CAMPAIGN OFFICERS [TREASURERS]. (a) Each  
22 candidate may and each group shall appoint a campaign chairman. Each  
23 candidate may and each group shall appoint a campaign treasurer. The  
24 candidate, the campaign chairman or the campaign treasurer of a candi-  
25 date, and the campaign chairman or the campaign treasurer of a group  
26 may certify [WHO IS RESPONSIBLE FOR RECEIVING, HOLDING, AND DISBURSING  
27 ALL CONTRIBUTIONS AND EXPENDITURES, AND FOR FILING] all reports and  
28 statements required by law. The campaign chairman and the campaign  
29 treasurer may be the same individual. A candidate who does not

1 appoint a campaign chairman is the campaign chairman. A candidate who  
2 does not appoint a campaign treasurer is the campaign treasurer. [A  
3 CANDIDATE MAY BE A CAMPAIGN TREASURER.]

4 \* Sec. 6. AS 15.13.060(b) is amended to read:

5 (b) Each group shall file the name and the address of its cam-  
6 paign chairman and its campaign treasurer with the commission at the  
7 time it registers with the commission under AS 15.13.050.

8 \* Sec. 7. AS 15.13.060(c) is repealed and reenacted to read:

9 (c) An individual may not act as either a campaign chairman or a  
10 campaign treasurer of a candidate for state or for municipal office  
11 until the candidate has filed the name and the address of the campaign  
12 chairman or the campaign treasurer with the commission.

13 \* Sec. 8. AS 15.13.060(d) is amended to read:

14 (d) In the case of the death, resignation or removal of a cam-  
15 paign chairman or a campaign treasurer of a group, the group [CANDI-  
16 DATE] shall appoint a successor as soon as practicable and file the  
17 [HIS] name and address with the commission within 48 hours of the  
18 appointment. [THE CANDIDATE IS DISQUALIFIED WHEN HE HAS BEEN FOUND TO  
19 HAVE BEEN IN WILFUL VIOLATION OF THIS SUBSECTION].

20 \* Sec. 9. AS 15.13.060(e) is amended to read:

21 (e) A campaign treasurer may appoint as many deputy campaign  
22 treasurers as the campaign treasurer [HE] considers necessary. The  
23 campaign treasurer [CANDIDATE] shall file the names and addresses of  
24 the deputy campaign treasurers with the commission.

25 \* Sec. 10. AS 15.13.060(f) is amended to read:

26 (f) A [THE] candidate is responsible for the performance of the  
27 campaign chairman and of the [HIS] campaign treasurer and a campaign  
28 treasurer of a candidate or of a group is responsible for the perfor-  
29 mance of the deputy campaign treasurers [, AND ANY DEFAULT OR

1 VIOLATION BY THE TREASURER ALSO SHALL BE CONSIDERED A DEFAULT OR  
2 VIOLATION BY THE CANDIDATE IF HE KNEW OR HAD REASON TO KNOW OF THE  
3 DEFAULT OR VIOLATION].

4 \* Sec. 11. AS 15.13.060 is amended by adding a new subsection to read:

5 (g) Contributions to a candidate may be received and expendi-  
6 tures of a candidate may be made only by the candidate, the campaign  
7 chairman, the campaign treasurer, or a deputy campaign treasurer of  
8 the candidate. Contributions to a group may be received and expendi-  
9 tures of a group may be made only by the campaign chairman, campaign  
10 treasurer, or a deputy campaign treasurer of the group.

11 \* Sec. 12. AS 15.13.070(b) is amended to read:

12 (b) No contribution over \$250 [\$100] may be made in cash or by  
13 cash payment and it may not be accepted by or on behalf of a candi-  
14 date.

15 \* Sec. 13. AS 15.13.070(c) is amended to read:

16 (c) No expenditures over \$250 [\$100] may be made in cash or by  
17 cash payment unless a written receipt is obtained and filed with the  
18 commission.

19 \* Sec. 14. AS 15.13.110(a) is amended to read:

20 (a) Each candidate and group shall make a full report in accor-  
21 dance with AS 15.13.040 during the period ending three days before  
22 the due date of the report and beginning on the last day covered by  
23 the most recent previous report, or, if a first report, all contribu-  
24 tions received and expenditures made before three days before the due  
25 date of the report. The report shall be certified under AS 15.13.-  
26 060(a) and filed at the following times:

27 (1) 30 days before the election; however, this report is  
28 not required if the deadline for filing a nominating petition or  
29 declaration of candidacy is within 30 days of the election;

- 1                   (2) one week before the election;  
2                   (3) 10 [TEN] days after the election; and  
3                   (4) 15 days after the end [DECEMBER 31] of each year for  
4 expenditures and contributions received which were not reported that  
5 year.

6 \* Sec. 15. AS 15.13.110(b) is amended to read:

7                   (b) Each contribution [OR EXPENDITURE] which exceeds \$500 [\$250]  
8 and which is received [MADE] within nine days [ONE WEEK] of the elec-  
9 tion shall be reported to the commission by date, amount, and contrib-  
10 ator [OR RECIPIENT] within 48 [24] hours of receipt [OR EXPENDITURE]  
11 by a campaign officer described in AS 15.13.060(a) [THE CANDIDATE OR  
12 CAMPAIGN TREASURER].

13 \* Sec. 16. AS 15.13.110(c) is amended to read:

14                   (c) The reports of a campaign officer described in AS 15.13.-  
15 060(a) [CANDIDATES] shall be filed with the commission's central  
16 office. All reports required by this chapter shall be kept open to  
17 public inspection. Within 30 days after each election, the commission  
18 shall prepare a summary of each report which shall be made available  
19 to the public at cost upon request. Each summary shall use uniform  
20 categories of reporting.

21 \* Sec. 17. AS 15.13.040(c) and AS 15.13.070(f) and (g) are repealed.

22 \* Sec. 18. This Act takes effect immediately in accordance with AS 01.-  
23 10.070(c).